Docket: 2789 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mark Roby

Examiner: Michener, Jennifer K.   Group Art Unit: 1762

Serial No: 09/965,872   Filed: September 28, 2001

For: **Plasma Coated Sutures**

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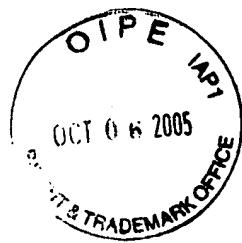[x]   Amendment
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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

In response to the Office Action mailed September 13, 2005 in connection with the above referenced application, please consider the following remarks.

REMARKS

Applicants elect to prosecute the claims of group I, claims 1-17. The remaining claims are withdrawn from consideration. These claims, however, are subject to reinstatement in the event the requirement for restriction is withdrawn or overruled.

Despite the provisional election, applicants traverse the restriction requirement. It is respectfully submitted that the Examiner should reconsider the restriction requirement in view of the fact that the separate classification of the subject matter under the classification system of the United States Patent an Trademark Office is not conclusive proof of divisibility and further that under M.P.E.P. §803 the entire application must be examined as a whole when there would not be a serious burden on the Examiner if restriction were not required. The fields of